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Commonwealth of Virginia

PRIVATE SECURITY SERVICES ADVISORY BOARD

**December 8, 2009
Quarterly Meeting Minutes**

**Richmond Police Academy
1202 W Graham Road
Richmond, Virginia 23220**

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Call to Order

Chris DiMartino, Chairman, called the meeting to order at approximately 9:19 a.m.

Attendees

Christopher DiMartino, Chairman; Paul Ellis, Vice-Chairman; Charles E. Ciccotti, Secretary; Carl Armstrong, Daniel Schmitt; Kevin Hodges; Seth P. Oginz; James D. (Danny) Washburn, Jr.; Joseph Maslanka; Thomas H. Turner; Steve Demma

Absent

Deputy Chief James A. Cervera; John R. Lastrapes; Dennis VanDuzee

Approval of Agenda

Carl Armstrong made a motion to approve the agenda.

Kevin Hodges seconded the motion and the motion carried.

Approval of Minutes

There were three corrections to the October 1, 2009 minutes to correct the term end date for the newly appointed Board members.

Charles Ciccotti made a motion to approve changes to the minutes.

Carl Armstrong seconded the motion and the motion carried.

Charles Ciccotti made the motion to approve the amended minutes.

Carl Armstrong seconded, motion carried.

Chairman DiMartino advised that he had been notified and approved the absences of Chief Cervera, Mr. Lastrapes and Mr. VanDuzee.

Chairman DiMartino also announced that Charles Tobin formally resigned his position from the Board. He stated that the recent vacancy of the Personal Protection Specialist position was announced by the Department and that the application period would expire on December 31, 2009. Mr. DiMartino publicly thanked Mr. Tobin for his service on the Board.

Committee Reports

Training Committee: Steve Demma, Chairman

Mr. Demma advised that the committee had recommended amendments to definitions in the regulations but the definitions were codified under §9.1-138 and any changes would require a legislative amendment. The amendments were for the definitions of Personal protection specialist, Private Security Services training school and Unarmed security officer. Mr. Demma advised that Delegate Scott may be interested in patroning a bill to have the definitions changed.

Regulatory Committee: No report given.

DCJS Report: Lisa McGee, Regulatory Manager

Staffing

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Ms. McGee formally introduced Ms. Neadie Moore, the Licensing and Registration Coordinator for the Office of Regulatory Affairs and provided the following bio:

Ms. Moore has been with the Department of Criminal Justice Services for four years. She has worked in the Law Enforcement Services Section as Program Analyst and Grant Monitor. Neadie also serves as the Agency's Bias Based Policing Coordinator. In addition to her regular duties, she is often called upon to assist with various writing and planning projects. Neadie currently serves as the Licensing and Registration Coordinator in the Office of Regulatory Affairs.

Neadie received her Bachelor of Science degree in Policy, Planning and Management from the University of Southern California. Neadie attended the Southwestern University School of Law. She also holds certificates in Entrepreneurship and Training and Development from California State University-Fullerton and California Polytechnic University-Pomona. Neadie holds a Virginia Real Estates Salesperson license.

Neadie is a retired Los Angeles Police Officer (LAPD). While serving with the LAPD, she worked in a variety of specialized assignments to include Planning and Research Division, Tactical Planning Section, Legal Affairs, D.A.R.E. Instructor, Crime Analysis and Press Relations. She also was the primary author a \$1 million grant awarded to LAPD to implement crime analysis throughout the then almost 8000 strong police department. She developed the implementation plan, training curriculum, office space build-out and presented the plan to the California Office of Criminal Justice Planning. Neadie is a certified Emergency Planning Instructor and court certified drug sales and recognition expert.

Personal Protection Specialist Board Vacancy:

Mrs. McGee, on behalf of the Department, publicly thanked Mr. Tobin for his service on the Board. She advised that Mr. Tobin has been a productive member of the Board and a wonderful asset to the department. The Department wished Mr. Tobin continued success in his endeavors and hoped to maintain the professional relationship honed over the years.

The Department has posted an Advisory Board Vacancy Application on the website. Notice was given to licensed businesses and individual registrants eligible for appointment. Any person interested in applying for appointment as the Personal Protection Specialist representative must complete and submit the appointment application by December 31, 2009.

The Criminal Justice Services Board (CJSB) Nomination Committee will fully evaluate all applicants for the vacant position prior to making its recommendation to the full Board for an appointment decision.

Locksmiths

Mrs. McGee provided the Board with an update about concerns expressed by members of the locksmith industry concerning the enforcement of unlicensed activity. Staff from the Department met with members of the locksmith industry to discuss different approaches to reducing and eliminating unlicensed activity. One issue the Department is addressing is the listing of unlicensed entities in the phone book, and licensees who utilize various fictitious names or trading as names not properly filed with the Department and using fraudulent physical addresses. This seems to be a nationwide issue. In July, CBS Channel 6 in Richmond conducted an investigative report on the issue. Channel 3 in Norfolk ran two reports on the issue over the Thanksgiving holiday. Anyone

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interested in these reports can access the Associated Locksmiths of America (ALOA) website, www.aloa.org, for links to news reports about locksmith issues.

Ms. McGee verified that these issues were violations of the Regulations and that the Department is working collaboratively with interested parties to ensure these individuals obtain proper licensure and address other non-compliance issues of currently licensed businesses. The Department is looking into options it can employ to address the issues in addition to direct investigations used by the Department's field investigators. Mrs. McGee advised that Mr. Tortolani would be meeting with locksmith industry members immediately following adjournment of the Board meeting.

Regulations

At the last meeting, Mrs. McGee reported that the regulations were entering the economic impact analysis and policy analysis stage done by the Department of Planning and Budget. DCJS Staff met with the economist and policy analyst to discuss the recommendations. Based upon the analysis, one major amendment was made to the proposed regulations.

The original document, that incorporates firearms training and range qualifications for patrol rifles, required 100% accuracy on the range. This has been amended to require 85% accuracy, comparable to that required of law enforcement.

The regulations were forwarded to the Secretary of Public Safety, have been recommended, and are currently under review by the Governor's office. Once a recommendation is received from the Governor's office, the Department will publish the official document and notify the industry of the 60 day public comment period. A public hearing will also be scheduled.

Legislative Session

The Department is gearing up for the General Assembly Session that is due to convene on January 13, 2010. This will be a 60 day session. Mrs. McGee announced that anyone interested in tracking the actions of the general assembly or wish to track a particular bill can access the Virginia General Assembly Legislative Information Services website at <http://legis.state.va.us>. In addition, the Virginia House of Delegates and the Senate of Virginia now have Twitter accounts, [VAHouse](#) and [VASenate](#). The first tweets from the Virginia General Assembly were made available during the Special Session held on August 19, 2009. Future Virginia General Assembly Twitter accounts will be tagged under #Virginia#Legislature.

Campus Security

The issue of safety and security on college campuses was addressed in a 2006 Crime Commission Study on Campus Safety. This study resulted in the statutory requirements under Code of Virginia (Code) §9.1-102 (49).

College populations represent a large concentration of students between the ages of 18-25 years with limited supervision and life experience. In terms of homeland security, campuses are identified as "soft targets" and are frequently targeted by domestic and foreign terrorists. Campuses also house volatile materials and research facilities that are also targeted by radical elements in society. Campuses host large stadium events and concerts that are potential targets for terrorism and riots. Most campuses also have facilities that are open to the public and are relatively difficult

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to secure and lockdown. Campus Security Officers are primary first responders to incidents of crime and violence on campus

The Board and the Department are required by Code of Virginia §9.1-102 (49) to establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula and certification requirements for campus security officers. No regulations are in place for campus security officers. As a result, the Department is unable to enforce the training standards that are necessary for certification. Emergency regulations are being developed to address the requirements of the Code. Currently, little or no standardized training for Campus Security Officers exists. The regulations will address these issues.

Training standards for campus security officers shall include, but not be limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and personal liability issues, security awareness in the campus environment, and disaster and emergency response. The campus security officer regulations address the necessary definitions, initial certification and training requirements and exemption from such procedures, suspension of certification, training waivers for experienced officers, standards of conduct, and recertification and decertification procedures. Additionally, instructor approval, administrative requirements, and standards of conduct are addressed.

The Department established an advisory committee that includes Chiefs of Police of campus police departments, Security Directors of campus security departments and other college and university officials responsible for the security of their institutions. This advisory committee also included representatives from the Department of Criminal Justice Services and a representative from the Private Security Services Advisory Board, Mr. Tom Turner. The primary function of this advisory committee was to develop recommended regulation amendments for Department consideration through the collaborative approach of regulatory negotiation and consensus.

Direct impact to the public:

Standardized training and employment criteria will enhance the service response delivered to students, faculty and staff on campus and further provide a safe and secure environment for all involved in the educational institution. Knowledge of criminal offenses and proper tracking and reporting in accordance with the Clery Act will help to ensure that parents/guardians have all necessary information to make an informed decision about the safety of a college campus.

The request for emergency regulations has been submitted for executive review as well as the authority to open the permanent regulatory process. The Department will keep the Board informed and notify the industry of any further developments.

Mrs. McGee advised that Tim Paul and Melissa Leigh could provide additional information should the Board have any questions. This ended the DCJS report.

Board Comments:

Mr. Tom Turner, Campus Security Advisory Board member, provided the following definition of a Campus Security Officer:

Any person employed by or contracted to a College or University for the sole purpose of maintaining peace and order and who is primarily responsible for the safety, security and

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welfare of students, faculty, staff and visitors, certified law enforcement officers as defined in §9.1.101 are not included in this definition.

Mr. Turner also advised that there were exemptions listed in the regulations that included part-time officers employed or contracted to any one institution or a combination of institutions in Virginia, provided the aggregate hours worked by the officer during the calendar year did not exceed 120 hours.

Mr. Turner advised that the Crime Commission did the study back in 2005 and found that campus security varied across the state from established security departments and accredited law enforcement agencies to very small departments utilizing proprietary security officers. The proposed regulations affect both state and private colleges and universities. For example, UVA has a certified law enforcement agency, but also has a security department comprised of approximately 60 people that provides security in the hospitals. The Crime Commission found that proprietary officers have limited training or no training standards.

Mr. Turner was under the impression that Virginia is the only state in the Union that has a certification program for campus security officers.

Mr. Maslanka asked if technical colleges would be included, when the changes were due to go into affect, and when individuals could take the required training. Mr. Turner responded that if the college grants an associates degree or bachelor's degree, then they are included.

Ms. Leigh, DCJS, provided the following information in regard to the Campus Security Officer (CSO) program:

- In order to receive CSO "instructor" status, the college/university/private security company's designated "Point of Contact" must approve the applicant. The other requirements are related to the applicant's employment history as a security officer, security supervisor, and instructor in an accredited institution. This criteria is addressed within the actual application. No additional training is necessary, however, the prospective instructor is encouraged to attend a CSO training class.
- CSO training via an online learning management system (LMS) is currently under development. When completed, this will allow security professionals to take the course as well as the test online at no cost.
- The tests are produced by DCJS. Each of the four module tests will consist of 25 questions. These 25 questions are randomly selected from our LMS test bank.
- Applications to request instructor and training classes are available from Ms. Leigh.
- Newly hired CSOs have 180 days from hire in which to certify. Existing CSOs have 365 days to complete the certification requirements. This all hinges upon the effective date of the regulations.
- Campus Security Officers are required to complete 16-hours of in-service training every two years to include a legal update.

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Ms. McGee, DCJS, added that the emergency regulations are currently under executive review, have not been approved, and are not in effect at this time. The training is currently being offered. The timeline will be established once the regulations go into effect.

This program will affect all security officers and special conservators of the peace providing security on college or university campuses and would require additional training beyond the private security services or special conservator of the peace regulated training.

Mr. Turner advised that there would be a two day training offered at J. Sargeant Reynolds Community College on December 16 and 17, 2009, from 8 am to 5pm each day. The cost for the training is \$25.00. Contact Craig Branch, Acting Chief for additional information. Mr. Turner reported that a pilot training program was held in Hampton at the Virginia School Safety Conference. Another session was held in November at Washington and Lee University with more than seventy participants attending.

Board Member Mr. Ellis asked if the proposed regulations were comparable to those for private security. He asked if private security services training schools would be able to provide lesson plans and conduct the training, including in-service topics. Mr. Turner advised that the initial training curriculum was created by the DCJS. Mrs. McGee confirmed that DCJS had created the curriculum.

Board Comment

Mr. Armstrong, Bail Bondsmen Board Member, was concerned that a Sheriff in the Norfolk area was planning to stream a list of bail bondsmen advertisements on a television screen in the jails. The Sheriff was allegedly planning to charge a fee of \$1000. Mr. Armstrong stated he did not believe that DCJS had the authority to prevent the Sheriff from doing this. However, he did state that any bondsmen that participated would be in violation by advertising on government property and paying for the advertisement. Mr. Armstrong advised that he had discussed this with Department staff and would follow up with the Department.

Board Announcements:

The next quarterly meeting will be held at the Tuckahoe Public Library, 1901 Starling Drive, Richmond, Virginia 23229 in March. The Department will notify the industry of the meeting date.

Adjournment

Charles Ciccotti made a motion to adjourn the meeting.
Carl Armstrong seconded the motion. The motion carried and the meeting was adjourned.

DCJS Attendees

Kim Buckner
Melissa Leigh
Lisa McGee
Neadie Moore

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Tim Paul
Robbie Robinson
Karen Suttles
Robert Tortolani
Burt Walker